

1 HON. ROBERT S. LASNIK
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

7 UNITED STATES OF AMERICA,) NO. CR16-239RSL
8 v. Plaintiff,) [PROPOSED] ORDER GRANTING
9 ZACHARY AUGUSTUS SMULSKI,) DEFENSE COUNSEL'S
10 Defendant.) MOTION FOR LEAVE TO WITHDRAW

11 Defense counsel Allen R. Bentley has moved for an order permitting him to withdraw as
12 counsel for the defendant. The reasons presented for the motion are (1) the possibility that additional
13 legal work may be needed in light of *Lagos v. United States*, a decision of the United States Supreme
14 Court issued after the defendant was sentenced, in which the Supreme Court addressed the scope of
15 restitution authorized by the Mandatory Victim Restitution Act, (2) the fact that Mr. Bentley's
16 withdrawal is permissible under the engagement agreement between Mr. Bentley and Mr. Smulski,
17 and (3) the fact that Mr. Smulski does not object to counsel's withdrawal. Having reviewed the
18 motion and the grounds set forth in the motion, the court has concluded that the motion is meritorious
19 and should be granted. Accordingly, it is hereby ORDERED as follows:

20 1. Allen R. Bentley is permitted to withdraw as attorney for defendant Zachary Augustus
21 Smulski; and
22 2. Upon the signing of this order, Mr. Bentley shall have no further responsibility for the
23 representation of Mr. Smulski.

24 [PROPOSED] ORDER GRANTING
25 DEFENSE COUNSEL'S MOTION
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DONE this 5th day of August, 2018.

MS (asm)

HON. ROBERT S. LASNIK
United States District Judge

Presented by:

/s/ Allen R. Bentley
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[PROPOSED] ORDER GRANTING
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